

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**DEFENDANT'S NOTICE OF REQUEST FOR A FRYE HEARING**

Comes now Defendant, by his attorney John D. Stobbs II, and hereby gives notice of his Request for a Frye Hearing and states:

## *I. Introduction*

1. Pursuant to *Frye v. Missouri*, prior to trial, a record needs to be made regarding all *formal* plea offers made to a Defendant.
2. In this case, there has been one *formal* plea offer reduced to writing, the attached Plea Agreement (Exhibit A).
3. The Plea Agreement was finalized during the week of August 8, 2016.
4. Defendant filed Motions in this matter while representing himself *pro se* and facts have arisen which might allow him to file another pre-trial motion.
5. If said pre-trial motion is filed, and Defendant is not successful, the undersigned believes that the aforesaid plea offer will be “pulled” by the Government.
6. Said plea proposal has been rejected by Defendant and the undersigned believes that a formal Frye Hearing is required so as to avoid a problem whereby Defendant desires to accept the plea offer after an unsuccessful result at a Motion Hearing only to be told by the Government that the plea offer is no longer available.

WHEREFORE, Defendant notifies this Honorable Court pursuant to *Frye* of his interpretation of the plea offers made in this case and requests a Hearing on same.

JERMAIN MAZES

STOBBS LAW OFFICES

BY:

/s/John D. Stobbs II  
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**CERTIFICATE OF SERVICE**

I hereby certify that on August 15, 2016, a copy of the attached *Defendant's Notice of Request for Frye Hearing* was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the following:

Sayler Fleming  
Assistant U.S. Attorney  
111 S. 10<sup>th</sup> Street  
St. Louis, Missouri 63102

STOBBS LAW OFFICES

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